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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor : James E. Angelo et al.

Appln. No.: 09/469,597

Filed : December 22, 1999

For : HEAD VIBRATION DETECTION DEVICE

Docket No.: S01.12-0543

RECEIVED

APR 20 2004

Technology Center 2600

Group Art Unit: 2651
Examiner: Varsha A. Kapadia

#23
4-23-04

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I HEREBY CERTIFY THAT THIS PAPER IS
BEING SENT BY U.S. MAIL, FIRST CLASS, TO
THE COMMISSIONER FOR PATENTS, P.O.
BOX 1450, ALEXANDRIA, VA 22313-1450,
THIS

12 DAY OF April, 2004

Deidre Tkacik
PATENT ATTORNEY

Sir:

Applicant appeals to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner mailed January 12, 2004, finally rejecting claims 23-25.

FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 1.17(b) the fee for filing the Notice of Appeal is:

- | | |
|---|----------|
| <input checked="" type="checkbox"/> other than a small entity | \$330.00 |
| <input type="checkbox"/> small entity | \$165.00 |

EXTENSION OF TIME

These proceedings are for a patent application and the provisions of 37 C.F.R. § 1.136 apply.

(a) [] Applicant petitions for an extension of time under 37 C.F.R. § 1.17(a)-(d) for the total number of months checked below:

<u>Extension (months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
[] one month	\$ 110.00	\$ 55.00

[] two months	\$ 420.00	\$210.00
[] three months	\$ 950.00	\$475.00
[] four months	\$1,480.00	\$740.00

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

[] An extension for has already been secured and the fee paid therefor of \$ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$

or

(b) [] Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time.

TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$330.00

Extension fee (if any) \$

Total Fee Due \$330.00

FEE PAYMENT

[X] A check in the amount of \$330.00 is attached.

[] Charge Deposit Account No. 23-1123, the sum of \$_.

The Director is authorized to charge any additional fees associated with this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,
WESTMAN, CHAMPLIN & KELLY, P.A.

By:

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